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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,000	04/21/2001	Masahiro Nakano	50P4426	2737

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EXAMINER	
FISH, JAMIESON W	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/839,000	NAKANO ET AL.	
	Examiner	Art Unit	
	Jamieson W. Fish	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 1105; 12104
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The information disclosure statements (IDS) submitted on 12-15-2004 and 1-21-2005 have been considered by the examiner.

Response to Arguments

2. Applicant's arguments with respect to claims **1-22** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim **1-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Greer et al (US 5,978,828).

1. Regarding claim **1**, Taguchi teaches an interactive television comprising; a housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing.); a television tuner in the housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor associated with the tuner (See Fig. 6 CPU 120 and Paragraph 65); a user input device communicating with the microprocessor (See Fig. 6 Media control device 126 and paragraph 66); a memory system communicating with the microprocessor (See Fig. 6 Memory 124, HDD 122 and Paragraph 64), the memory system storing user data and virtual channels (See

Fig. 7 Personal Information DB 170 and Paragraphs 70), the user data being at least partially based on signals received from the user input device (See Paragraph 70 Users "maintain" and "request" both of these would be facilitated through signals received from the user input device); and a computer communication device connected to the microprocessor and to a computer network (See Fig. 6 Network I/F 130 and Paragraph 64). Taguchi fails to disclose at least one virtual channel in the memory system being updated automatically by determining whether an update at a corresponding Web site has occurred, the determining logic being executed by at least one of: a Web server associated with the Web site and having knowledge of a current content of the virtual channel within the memory system, and by the microprocessor responsive to information from the Web server, in which case the microprocessor determines whether the memory system stores a latest version of the virtual channel using the information from the Web server. However, systems that store web pages in memory that have the capability of automatically detecting and updated a stored web page are well known in the art as taught by Greer (See Col. 3 lines 14-23, Col. 7 lines 20-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taguchi so that changes in stored web pages were automatically detected and web pages were updated accordingly as taught by Greer in order to provide the user with the most updated information of a web page that he has saved (See Greer Col. 1 lines 34-36).

2. Regarding claim **2**, Taguchi modified with Greer teaches wherein in the event of an update, only updated portions of the Web page corresponding to the virtual channel

are updated (See Greer Col. 4 lines 7-33, Col. 8 lines 1-22 The user can set update thresholds for portions of the web page individually).

3. Regarding claim **3**, Taguchi modified with Greer teaches wherein the virtual channels are Web pages (See Taguchi Paragraph 70 "http//www.yahoo.com" is a webpage).

4. Regarding claim **4**, Taguchi modified with Greer teaches wherein the microprocessor is in the housing (See Taguchi Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing) or in a set-top box separate from the housing (See Taguchi Paragraph 12 the web tuner system can output to external equipment and thus the microprocessor would be in a set top box in a separate housing from the TV).

5. Regarding claim **5**, Taguchi modified with Greer teaches the ITV further comprising a data bus communicating with the microprocessor, memory system, and TV tuner (See Taguchi Fig. 6 Bus 134 and Paragraph 64), the microprocessor correlating channel numbers with virtual channels (See Paragraph 70 "Channel mapping program" correlates channel numbers with virtual channels and is executed by CPU).

6. Regarding claim **6**, Taguchi modified with Greer teaches further comprising an electronic channel guide displayed on the ITV, the virtual channels being listed by channel number and by name on the electronic channel guide (See Taguchi Fig 9 and Paragraph 72).

7. Regarding claim **7**, Taguchi teaches an interactive television (ITV), comprising: a housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing); a television tuner in the housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor (See Fig. 6 CPU 120 and Paragraph 65); a user input device communicating with the microprocessor (See Fig. 6 Media control device 126 and paragraph 66); and a memory system communicating with the microprocessor (See Fig. 6 Memory 124, HDD 122 and Paragraph 64), the memory system storing user data (See Fig. 7 Personal Information DB 170 and Paragraphs 70), the user data being at least partially based on signals received from the user input device (See Paragraph 70 Users "maintain" and "request" both of these would be facilitated through signals received from the user input device), wherein the memory system further stores virtual channels displayable on the ITV (See Paragraph 70 "logical channel values" mapped into "real media information" is a virtual channel), and the microprocessor accesses the memory system to display a virtual channel in response to user input (See Paragraph 70 "returns a real media resource"). Taguchi fails to disclose where at least one virtual channel in the memory system is updated automatically by determining whether an update at a corresponding Web site has occurred, the determining logic being executed by a Web server associated with the Web site and having knowledge of a current content of the virtual channel in the memory system. However, systems that store web pages in memory that have the capability of automatically detecting and updated a stored web page are well known in the art as taught by Greer (See Col. 3 lines 14-23, Col. 7 lines 20-67). Thus, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taguchi so that changes in stored web pages were automatically detected and web pages were updated accordingly as taught by Greer in order to provide the user with the most updated information of a web page that he has saved (See Greer Col. 1 lines 34-36).

8. Regarding claim **8**, Taguchi teaches further comprising a computer communication device connected to the microprocessor and to a computer network (See Taguchi Fig. 6 Network I/F 130 and Paragraph 64), the virtual channels in the memory system being updated in accordance with data received from the communication device (See Taguchi Paragraph 70 Real media resource is returned when requested by user. Real media resources are automatically updated).

9. Regarding claim **9**, Taguchi teaches wherein the computer communication device is a modem (See Taguchi Paragraph 53).

10. Regarding claim **10**, Taguchi teaches wherein the virtual channels are Web-based channels (See Taguchi Paragraph 70 "http://www.yahoo.com" is a Web-based channel).

11. Regarding claim **11**, Taguchi teaches wherein the virtual channels are Web pages (See Taguchi Paragraph 70 "http://www.yahoo.com" is a Web page).

12. Regarding claim **12**, Taguchi teaches wherein the microprocessor is in the housing (See Taguchi Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing) or in a set top box separate from the housing (See Taguchi Paragraph 12 the web tuner system

can output to external equipment and thus the microprocessor would be in a set top box in a separate housing from the TV).

13. Regarding claim **13**, Taguchi teaches further comprising a data bus communicating with the microprocessor, memory system, and TV tuner (See Taguchi Fig. 6 Bus 134 and Paragraph 64), the microprocessor correlating channel numbers with virtual channels (See Taguchi Paragraph 70 "Channel mapping program" correlates channel numbers with virtual channels and is executed by CPU).

14. Regarding claim **14**, Taguchi teaches further comprising an electronic channel guide displayed on the ITV, the virtual channels being listed by channel number and by name on the electronic channel guide (See Taguchi Fig 9 and Paragraph 72).

15. Regarding claim **15**, Taguchi teaches an interactive television (1TV), comprising: a housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing); a television tuner in the housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor (See Fig. 6 CPU 120 and Paragraph 65); a user input device communicating with the microprocessor (See Fig. 6 Media control device 126 and paragraph 66); a memory system communicating with the microprocessor (See Fig. 6 Memory 124, HDD 122 and Paragraph 64), the memory system storing virtual channels (See Paragraph 70 "logical channel values" mapped into "real media information" is a virtual channel); and a computer communication device connected to the microprocessor and to a computer network (See Fig. 6 Network I/F 130 and Paragraph 64). Taguchi fails to disclose wherein the microprocessor, responsive to update information from a Web server

associated with at least one virtual channel in the memory system, determines whether the memory system stores a latest version of the virtual channel and if so causes at least updated portions of a Web page associated with the virtual channel automatically to be downloaded. However, systems that store web pages in memory that have the capability of automatically detecting and updating a stored web page are well known in the art as taught by Greer (See Col. 3 lines 14-23, Col. 7 lines 20-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taguchi so that changes in stored web pages were automatically detected and web pages were updated accordingly as taught by Greer in order to provide the user with the most updated information of a web page that he has saved (See Greer Col. 1 lines 34-36).

16. Regarding claim **16**, Taguchi modified with Greer teaches wherein the microprocessor accesses the memory system to display a virtual channel in response to user input (See Taguchi Paragraph 70 "returns a real media resource").

17. Regarding claim **17**, Taguchi modified with Greer teaches wherein the memory system stores user data the user data being at least partially based on signals received from the user input device (See Taguchi Paragraph 70 Users "maintain" and "request" both of these would be facilitated through signals received from the user input device).

18. Regarding claim **18**, Taguchi modified with Greer teaches wherein the computer communication device is a modem (See Taguchi Paragraph 53).

19. Regarding claim **19**, Taguchi modified with Greer teaches wherein the virtual channels are Web-based channels (See Taguchi Paragraph 70 "http://www.yahoo.com" is a Web-based channel).

20. Regarding claim **20**, Taguchi modified with Greer teaches wherein the virtual channels are Web pages (See Taguchi Paragraph 70 "http://www.yahoo.com" is a Web page).

21. Regarding claim **21**, Taguchi modified with Greer teaches the ITV further comprising a data bus communicating with the microprocessor, memory system, and TV tuner, the microprocessor correlating channel numbers with virtual channels (See Taguchi Fig. 6 Bus 134 and Paragraph 64).

22. Regarding claim **22**, Taguchi modified with Greer teaches further comprising an electronic channel guide displayed on the ITV, the virtual channels being listed by channel number and by name on the electronic channel guide (See Taguchi Fig 9 and Paragraph 72).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamieson W. Fish whose telephone number is 571-272-7307. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JF 5/16/05

NGOC-YEN VU
PRIMARY EXAMINER